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## Introduction to 1787: The Constitution in Persepective

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# William and Mary Law Review

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## 1787: THE CONSTITUTION IN PERSPECTIVE

### INTRODUCTION

GENE R. NICHOL, JR.\*

This issue of the *William and Mary Law Review* contains the proceedings of the Fourth Annual Bill of Rights Symposium, sponsored by the Institute of Bill of Rights Law, Marshall-Wythe School of Law, College of William and Mary. Established by the trustees of the Alfred Wilson Lee and Mary I.W. Lee Memorial Trust, the Institute of Bill of Rights Law is the beneficiary of a generous gift to establish an Institute with emphasis on the teaching of constitutional principles, legal history and professional ethics. In fulfillment of the testatrix's wishes, this series of Bill of Rights Symposia was established in April 1984.

Last March, with the generous co-sponsorship of the Institute of Early American History and Culture of the College of William and Mary and the Virginia Commission on the Bicentennial of the United States Constitution, the Institute of Bill of Rights Law organized a two-day conference entitled *1787: The Constitution in Perspective*. The Williamsburg meeting successfully brought together noted scholars from a variety of disciplines to explore the Constitution and its founding period. The articles and comments that follow were presented at that symposium.

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The focal points of the discussions were three extraordinary papers, presented in turn by Robert A. Ferguson, Professor of English at the University of Chicago; Morton J. Horwitz, Charles Warren Professor of American Legal History at Harvard; and Sanford Levinson, Charles Tilford McCormick Professor of Law at the University of Texas. The essays approached the Constitution from three diverse perspectives and thus served to spark discussions of unusual breadth and challenge.

The conference's commentators, whose remarks are set forth here as well, were equally distinguished. It would be difficult for a conference involving professors like Les Benedict, Walter Dellinger, Michael Gilmore, Dirk Hartog, Randall Kennedy, Jeff Powell, David Richards, Fred Schauer, Larry Simon, James Morton Smith, Mark Tushnet, and Ted White to fail. Nevertheless, the sessions were unusually provocative and enlightening. The Institute owes a substantial debt to those who participated.

I would like to offer special thanks to Thad Tate and Dick Howard, who helped moderate the discussions. Finally, I sadly acknowledge that the conference, and this issue, are dedicated to the memory of Stephen Botein. Steve, who died tragically and unexpectedly on June 24, 1986, was a Professor of History at Michigan State University. A distinguished scholar of early American history, he was the visiting editor of book publications at the Institute of Early American History and Culture for the academic year 1985-1986. In that capacity, he offered tireless service in helping coordinate this conference. As Robert Ferguson noted, Steve was a young scholar whose work was just beginning to be felt at the time of his death. A colleague with whom he worked described him as a great connector—a connector of disparate ideas and disparate people. This conference, then, particularly bears Steve's mark.